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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,719	04/11/2001	Robert Leslie Van Oostenbrugge	PHNL 000183	9755

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

BONSHOCK, DENNIS G

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 11/10/2003

*[Signature]*

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/832,719	VAN OOSTENBRUGGE ET AL.	
	Examiner	Art Unit	
	Dennis G Bonshock	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 11 April 2001.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 4-11-2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)                    4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)                    5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.                    6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because the boxes in the drawings contain no data deciphering them from each other. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. Claims 7 and 8 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim can't depend on any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

3. Claims 8 and 12 are objected to because of the following informalities: They are in an improper form in which the reference to the parent claim follows the new claimed material. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Monteiro et al., Patent # 5,778,187, hereinafter Monteiro.

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6. With respect to claim 1, which teaches an apparatus comprising presentation means for presenting a graphical user interface and skin means for applying a skin to the graphical user interface, Monteiro teaches, in column 17, lines 20-31 and column 7, lines 48-59, a system with a client application which allows for an optional graphical user interface (skin) to be displayed. With regard to claim 1, further teaching that the skin is applied in response to an event not originating from a user request to change the currently applied skin, Monteiro teaches, in column 17, lines 20-31 and column 7, lines 48-59, that the user interface changes in response to a different song being played.

7. With respect to claim 2, which teaches an apparatus receiving information from a remote server, Monteiro teaches, in column 17, lines 20-31 and Figure 1, tabs of a multimedia frame dynamically transmitted to the client. With regard to claim 2, further teaching the event comprising the reception of a skin change command from the remote server, Monteiro teaches, in column 17, lines 20-31 and Figure 1, the server sending a representative interface to the client.

8. With respect to claim 3, which teaches an apparatus comprising storage means for storing a plurality of skins, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, storing a plurality of user specific interface elements on the clients computer. With regard to claim 3, further teaching the skin change command including an identification of a respective one of the plurality of skins, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, the interface elements being identifiable to correspond to an audio channel and a specific cueing signal. With

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regard to claim 3, further teaching the skin being adapted to apply said respective skin to the graphical user interface in response to a skin change command, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, the interface elements being displayed corresponding to an audio channel or a specific cueing signal.

9. With regard to claim 4, which teaches the skin change command including a further skin, in which the skin means is adapted to apply said further skin to the graphical user interface, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, several interface elements (advertisements) downloaded at a time and being displayed corresponding to an audio channel or a specific cueing signal.

10. With regard to claim 5, which teaches presentation means capable of presenting further information, and that the event comprises a change in a parameter of said further information, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, the event being a specific cueing signal, and teaches in column 17, lines 20-31, the event being a change in audio channel.

11. With regard to claim 6, which teaches information comprising audio and/or video content, Monteiro teaches, in column 2, lines 8-11 and column 17, lines 20-31, the information being audio and/or video content. With respect to claim 6, further teaching a parameter representing a category of said content, Monteiro teaches, in column 17, lines 20-31, that if the user changes music type or there is a change in the artist the interface window will adapt.

12. With regard to claim 7, which teaches that the apparatus further comprised user profile means for maintaining a user profile, and an event comprising a change in a

user profile, Monteiro teaches, in column 2, lines 17-26 and column 8, lines 12-15, that portions of information can be tailored to the client, when the clients habits change the environment adapts around the client.

13. With regard to claim 8, which teaches the above claims being implemented in a computer program, with a computing device, Monteiro teaches, in column 2, lines 1-26 and figure 1, that the system is a computer system, implemented using computing devices.

14. With regard to claim 9, which teaches a method of transmitting information to an apparatus, Monteiro teaches, in column 17, lines 20-31 and in figure 1, a method of transmitting information to a user. With regard to claim 9, further teaching a presentation means for presenting a graphical user interface and skin means for applying a skin to the graphical user interface so as to influence the look of the graphical user interface, Monteiro teaches, in column 17, lines 20-31 and in figure 18, an application with a dynamic graphical user interface based on client selections. With regard to claim 9, further teaching information transmitted comprising a skin change command to the apparatus for changing a currently applied skin, Monteiro teaches, in column 17, lines 20-31 and in figure 1, that skin information is transmitted to the client.

15. With respect to claim 10, which teaches an apparatus comprising storage means for storing a plurality of skins, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, storing a plurality of user specific interface elements on the clients computer. With regard to claim 10, further teaching the skin change command including an identification of a respective one of the plurality of skins, Monteiro

teaches, in column 8, lines 17-25 and column 7, lines 48-59, the interface elements being identifiable to correspond to an audio channel and a specific cueing signal. With regard to claim 10, further teaching the skin being adapted to apply said respective skin to the graphical user interface in response to a skin change command, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, the interface elements being displayed corresponding to an audio channel or a specific cueing signal.

16. With regard to claim 11, which teaches the skin change command including a further skin, in which the skin means is adapted to apply said further skin to the graphical user interface, Monteiro teaches, in column 8, lines 17-25 and column 7, lines 48-59, several interface elements (advertisements) downloaded at a time and being displayed corresponding to an audio channel or a specific cueing signal.

17. With regard to claim 12, which teaches information comprising audio and/or video content, Monteiro teaches, in column 2, lines 8-11 and column 17, lines 20-31, the information being audio and/or video content. With respect to claim 12, further teaching a parameter representing a category of said content, Monteiro teaches, in column 17, lines 20-31, that if the user changes music type or there is a change in the artist the interface window will adapt.

### ***Conclusion***

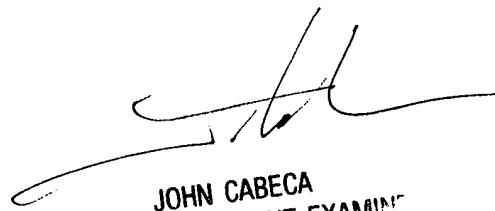
18. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach systems displaying an adapting graphical user interface.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m..

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dgb



JOHN CABECA  
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TECHNOLOGY CENTER